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7 Attorney for Potential Claimants
8 SPECIAL LIMITED APPEARANCE

9
10 UNITED STATES DISTRICT COURT

11
12 CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 *vs.*

16 APPROXIMATELY \$107,539,422.29 IN
17 FUNDS AND SECURITIES,

18 Defendant.

19 Case No. 18 CV 3855-DMG

20 [Hon. Dolly M. Gee, District Court Judge]

21 **STIPULATION AND REQUEST FOR
22 ORDER STAYING PROCEEDING TO
23 PERMIT RETENTION OF
24 SUBSTITUTE COUNSEL; ORDER
25 THEREON**

26 Dept.: Courtroom 8C

27 Location: 350 West 1st Street, 8th Floor
28 Los Angeles, CA 90012

29 Trial: None

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31 Reference is made to the above entitled lawsuit entitled *United States of America v.*
32 *v. Approximately \$107,539,422.29 in Funds and Securities*, United States District Court,
33 Central District of California, Case No. 18 CV 3855. This Stipulation and request is made
34 by and among the United States, by and through Assistant United States Attorney Steven
35 Welk, and Roger Jon Diamond on behalf of the potential claimants (1) The Assets
36 Management Irrevocable Trust – CO, by and through its Trustee Asiatrust Nevis, Ltd., aka
37 Asiaciti Trust and Asia Trust Pacific Ltd.; (2) The Assets Management Irrevocable Trust
38 – JO, by and through its Trustee Asia Trust, Ltd., aka Asiaciti Trust and Asia Trust Pacific
39 Ltd.; (3) The Assets Management Irrevocable Trust – MO, by and through its Trustee
40 Asiatrust Nevis, Ltd., aka Asiaciti Trust and Asia Trust Pacific Ltd.; (4) Contingent

1 Beneficiaries Sharafatal Aghajani, Cindy Omidi, Michael Omidi, Julian Omidi, Dr. Edjlal
2 Pezeshk (Deceased on behalf of his estate, heirs, legatees, and beneficiaries); Shawn
3 Pezeshk; and (5) Property Care Insurance Company, Inc. (collectively, the “Potential
4 Claimants”).

5 WHEREAS, undersigned counsel was planning to represent the Potential Claimants
6 in the instant action prior to the Court’s October 1, 2018 entry of the Order in the case of
7 *United States v. Julian Omidi*, United States District Court, Central District of California,
8 Case No. 17 CR 661 (“*Omidi*”), disqualifying Mr. Diamond from further representation of
9 the parties;

10 AND WHEREAS, the Court has placed a 90 day hold and stay on the proceedings
11 in *Omidi* to give the parties the opportunity to retain new counsel and for that new counsel
12 to appear in that case, vacated the previously-set trial date, and set a status conference for
13 January 16, 2019 to set a new trial date;

14 AND WHEREAS, in view of the Court’s October 1 Order, Mr. Diamond does not
15 believe it is appropriate for him to represent the Potential Claimants, and that it is
16 necessary for the Potential Claimants to retain other counsel to appear in this case. Mr.
17 Diamond believes that it necessary for the Potential Claimants to have at least the full 90-
18 days provided for in the October 1 Order to locate and retain other counsel to represent
19 them in this action;

20 AND WHEREAS, the parties have discussed the matter and have agreed that it is
21 appropriate to place a 120-day hold and stay on the proceedings in this case in view of the
22 fact that both cases are pending before this Court and the October 1 Order will have a
23 similar effect in both cases.

24 NOW THEREFORE, the parties Stipulate and Request as follows:

25 1. That the Court impose a 120-day hold and stay on the proceeding in this case
26 commencing as of September 19, 2018, and expiring on January 17, 2019, or until further
27 Order of the Court;

28 2. The stay shall apply to any filings of any responsive pleadings by the Potential
29 Claimants, including Claims and Answers, motions to dismiss, motions for lack of

1 service, motions for lack of jurisdiction, objections to lack of notice, challenges to the
2 procedures by which this case has been instituted or prosecuted, and claims involving
3 statute of limitations, and shall not constitute a waiver, express, implied, or inferred, of
4 jurisdiction or lack thereof, statute of limitations, or procedural rights or purported
5 irregularities involved in this proceeding. The stay shall not affect the Claim and Answer
6 deadlines applicable to all other possible claimants other than the Potential Claimants.

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8 DATED: Oct 26, 2018 LAW OFFICES OF ROGER JON DIAMOND

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Roger Jon Diamond
ROGER JON DIAMOND

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Attorneys for
POTENTIAL CLAIMANTS
NICOLA T. HANNA
United States Attorney
LAWRENCE S. MIDDLETON
Assistant United States Attorney
Chief, Criminal Division

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(s) Steve R. Welk (RJD)
STEVEN R. WELK
Assistant United States Attorney
Chief, Asset Forfeiture Section

Attorneys for Plaintiff
UNITED STATES OF AMERICA